

STATE OF UTAH
DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
APPLICATION FOR REGISTRATION
FACTORY BUILT HOUSING DEALER

APPLICATION INSTRUCTIONS AND INFORMATION

General Statement: The Utah Division of Occupational and Professional Licensing (DOPL) desires to provide courteous and timely service to all applicants for registration. To facilitate the application process, **submit a complete application form including all applicable supporting documents and fees.** Failure to submit a complete application and supply all necessary information will delay processing and may result in denial of licensure. The fees are for processing your application and will not be refunded. **Please read all instructions carefully.**

Address of Record: The address you provide on this application will be your address of record. All correspondence from DOPL will be sent to that address. You are responsible to directly notify DOPL of any change to your address of record. Do not rely on a forwarding order.

Social Security Number: Your social security number is classified as a private record under the Utah Government Records Access and Management Act. It is used by DOPL as an individual identifier. It is also used for child support enforcement pursuant to Subsection 78-32-17(3) and is mandatory pursuant to Subsection 58-1-301(1), Utah Code Ann., which implements 42 U.S.C. 666(a)(13). If an SSN is not provided, the application is incomplete and may be denied.

SUPPORTING DOCUMENTS AND FEES:

In addition to submitting a completed application, complete the following:

1. If the applicant is a business entity (except a sole proprietor operating under his own personal given name), submit a "Certificate of Good Standing" or a copy of the "Articles of Incorporation" that has been filed with the Utah Division of Corporations and Commercial Code.
2. If the applicant's company is incorporated in another state, submit a copy of the "Utah Certificate of Authority" from the Utah Division of Corporations and Commercial Code.
3. If the applicant is using an assumed name(s), submit a copy of all "D.B.A. Registrations" filed with the Utah Division of Corporations and Commercial Code.

4. Submit a Factory Built Housing Dealer bond completed by your bonding agent (attached to this application).
5. Submit the \$30.00 non-refundable, application-processing fee, made payable to “DOPL.”

ADDITIONAL IMPORTANT INFORMATION:

1. **Laws and Rules:** You are required to understand all Utah laws and rules pertaining to factory built housing. The following applicable laws and rules are available on the Internet at www.dopl.utah.gov:
 - ☐ Division of Occupational & Professional Licensing Act
 - ☐ General Rules of the Division of Occupational & Professional Licensing
 - ☐ Utah Uniform Building Standards Act
 - ☐ Utah Uniform Building Standards Act Rules
2. **Fees:** Each dealer shall collect and remit \$75.00 to DOPL for each factory built home the dealer sells that has not, as of the date of the sale, been permanently affixed to real property and converted to real property as provided in Section 70D-1-20. These fees are due on a quarterly basis for all units sold during the calendar quarter. They are to be reported and submitted to DOPL on the quarterly report form (attached to this application.)
3. **Current Documents:** Applications, statutes, rules, and forms are occasionally changed. Go to www.dopl.utah.gov to ensure you have the most recent version of these documents.
4. **Registration Renewal:** All factory built housing dealer registrations expire September 30 of each even-numbered year.

Unlike many other states, Utah’s renewal schedule **is not** based on the registrant’s date of initial registration. Under Utah’s renewal system, each profession expires as a group on the same day every two years. Therefore, the length of a registrant’s first renewal cycle depends on how far into the current renewal cycle initial registration was obtained. Each renewal cycle thereafter is for a full two years.

Additionally, the fee paid with this application for registration is an application-processing fee only. It does not include a renewal fee. Each registrant is responsible to renew registration **PRIOR** to the expiration date shown on the current certificate. Approximately two months prior to the expiration date shown on the registration certificate, renewal information is disseminated to each registrant’s last address of record, as provided to DOPL.

5. The Utah Division of Corporations and Commercial Code is located at 160 East 300 South, 1st Floor, Salt Lake City, Utah 84111; (801) 530-4849.

6. **Updating Address Information:** It is your responsibility to maintain a current address with DOPL. If your address is incorrect, you will not receive renewal notices or other correspondence. Address changes can be made online at www.dopl.utah.gov.
7. **Ceremonial Certificate of Licensure:** After obtaining your license from DOPL, you can order a Ceremonial Certificate of Licensure, printed on parchment paper with original signatures and an embossed gold seal. Order forms can be obtained at www.dopl.utah.gov.
8. **Mail Complete Application to:**

By U.S. Mail

Division of Occupational & Professional Licensing
P.O. Box 146741
Salt Lake City, Utah 84114-6741

By Delivery or Express Mail

Division of Occupational & Professional Licensing
160 East 300 South, 1st Floor Lobby
Salt Lake City, Utah 84111

9. **Telephone Numbers:** (801) 530-6628
(866) 275-3675 – Toll-free in Utah
10. **Fax Number:** (801) 530-6511

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APPLICATION FOR LICENSURE

The business legal name is the name which will appear on the license and is the actual name under which the business will be conducted. This is normally the name registered with the Division of Corporations. If there are fictitious business names (doing business as), list those names also, e.g., XYZ Corporation d.b.a. XYZ Housing. If you are going to operate under your own personal given name, this will also be your business name.

GENERAL INFORMATION

Registration Applying For: FACTORY BUILT HOUSING DEALER

Business Legal Name: _____

Federal Tax ID Number: _____

MAILING ADDRESS:

Street: _____

City: _____ State: _____ Zip: _____

County: _____ Telephone: _____

CONTACT PERSON FOR LICENSING PURPOSES:

Name: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

DO NOT WRITE IN THIS SECTION - FOR DIVISION USE ONLY

License/Certificate Number: _____

Date License/Certificate Approved: _____

Approved By: _____

Date License/Certificate Denied: _____

Denied By: _____

Reason for Denial/Other Comments: _____

BUSINESS ENTITY FORM:

_____ Corporation

Corporate Name: _____

Utah Division of Corporations Number: _____

Date of Incorporation: _____

_____ Partnership

Name of Partnership: _____

_____ General _____ Limited

Utah Division of Corporations Number: _____

Date of Partnership Agreement: _____

_____ Sole Proprietorship

Name of Business Entity: _____

_____ Limited Liability Company

Name of Company: _____

Utah Division of Corporations Number: _____

Date Filed: _____

_____ Other Type of Business Form: _____

Utah Division of Corporations Number: _____

AFFIDAVIT FOR UTAH LAWS AND RULES

I understand that it is my responsibility to read and understand all statutes and rules pertaining to my practice as a factory built housing dealer in the state of Utah, and I agree to comply with such.

Signature of Applicant: _____ Date: _____

IDENTIFYING INFORMATION FOR BUSINESS ENTITY FORM:

Supply the identifying information below for all corporate officers, directors, registered agents, and shareholders of a corporation (not required if publicly traded); all partners of a partnership; the sole proprietor of a sole proprietorship; all persons who have an ownership or management responsibility for a limited liability company or other type of business form. Ownership must total 100%. (Use additional sheets if necessary.)

Full Name: _____

Title: _____ Percent Owned: _____

Date of Birth: _____ Social Security Number: _____

City: _____ State: _____ Zip: _____

Full Name: _____

Title: _____ Percent Owned: _____

Date of Birth: _____ Social Security Number: _____

City: _____ State: _____ Zip: _____

Full Name: _____

Title: _____ Percent Owned: _____

Date of Birth: _____ Social Security Number: _____

City: _____ State: _____ Zip: _____

Full Name: _____

Title: _____ Percent Owned: _____

Date of Birth: _____ Social Security Number: _____

City: _____ State: _____ Zip: _____

ALL DBA'S TO BE USED

Use additional sheets if necessary.

Name: _____

Address: _____

Phone Number: _____

Utah Division of Corporations Number: _____

Name: _____

Address: _____

Phone Number: _____

Utah Division of Corporations Number: _____

Name: _____

Address: _____

Phone Number: _____

Utah Division of Corporations Number: _____

Name: _____

Address: _____

Phone Number: _____

Utah Division of Corporations Number: _____

Name: _____

Address: _____

Phone Number: _____

Utah Division of Corporations Number: _____

FACTORY BUILT HOUSING DEALER QUALIFYING QUESTIONNAIRE

Answer “yes” or “no” to each question. Do not leave any question blank.

Answer each question on behalf of the applicant, any officer, director, partner, proprietor, shareholder (unless publicly traded), member, owner, qualifying managing employee, or manager associated with or employed by the applicant.

1. _____ Have you ever applied for or received a license, certificate, permit, or registration to practice in a regulated profession under any name other than the name listed on this application?
2. _____ Have you ever been denied the right to sit for a licensure examination?
3. _____ Have you ever had a license, certificate, permit, or registration to practice a regulated profession denied, conditioned, curtailed, limited, restricted, suspended, revoked, reprimanded, or disciplined in any way?
4. _____ Have you ever been permitted to resign or surrender your license, certificate, permit, or registration to practice in a regulated profession while under investigation or while action was pending against you by any professional licensing agency or criminal or administrative jurisdiction?
5. _____ Are you currently under investigation or is any disciplinary action pending against you now by any licensing agency or government agency?
6. _____ Is any action pending against you now by either the Federal Drug Enforcement Administration or any state drug enforcement agency?
7. _____ If you are licensed in the occupation/profession for which you are applying, would you pose a direct threat to yourself, to your clients, or to the public health, safety, or welfare because of any circumstance or condition?
8. _____ Have you ever been declared by any court of competent jurisdiction incompetent by reason of mental defect or disease and not restored?
9. _____ Have you ever been involved as the abuser in any incident of verbal, physical, mental, or sexual abuse?
10. _____ Have you ever been terminated from a position because of drug use or abuse?

(Questions continue on following page.)

11. _____ Are you currently using or have you recently (within 90 days) used any drugs (including recreational drugs) without a valid prescription, the possession or distribution of which is unlawful under the Utah Controlled Substances Act or other applicable state or federal law?
12. _____ Have you ever used any drugs without a valid prescription, the possession or distribution of which is unlawful under the Utah Controlled Substances Act or other applicable state or federal law, for which you have not successfully completed or are not now participating in a supervised drug rehabilitation program, or for which you have not otherwise been successfully rehabilitated?
13. _____ Do you currently have any criminal action pending?
14. _____ Have you pled guilty to, no contest to, or been convicted of a misdemeanor in any jurisdiction within the past ten (10) years? Motor vehicle offenses such as driving while impaired or intoxicated must be disclosed but minor traffic offenses such as parking or speeding violations need not be listed.
15. _____ Have you ever pled guilty to, no contest to, or been convicted of a felony in any jurisdiction?
16. _____ Have you, in the past ten (10) years, been allowed to plea guilty or no contest to any criminal charge that was later dismissed (i.e. plea in abeyance or deferred sentence)?
17. _____ Have you ever been incarcerated for any reason in any federal, state or county correctional facility or in any correctional facility in any other jurisdiction or on probation/parole in any jurisdiction?

If you answered “yes” to questions 13, 14, 15, 16, or 17 above, you must submit a complete narrative of the circumstances that occurred for EACH and EVERY conviction, plea in abeyance, and/or deferred sentence. You must also attach copies of all applicable police report(s), court record(s), and probation/parole officer report(s).

If you are unable to obtain any of the records required above, you must submit documentation on official letterhead from the police department and/or court indicating that the information is no longer available.

If you have formally expunged a criminal record as evidenced by a court order signed by a judge, you do not need to disclose that criminal history. Expungement orders must be sent to the Bureau of Criminal Identification and the FBI to enable the expungement to be completed and the criminal history eliminated from the records.

If you answered “yes” to any of the above questions, enclose with this application complete information with respect to all circumstances and the final result, if such has been reached.

A “yes” answer does not necessarily mean you will not be granted a license; however, DOPL may request additional documentation if the information submitted is insufficient.

AFFIDAVIT and RELEASE AUTHORIZATION

I being first duly sworn declare under penalty of perjury as follows:

I am authorized to sign this Affidavit and Release Authorization on behalf of the applicant described and identified in this application for registration in the State of Utah.

The applicant is qualified in all respects for the registration for which it is applying in this application.

To the best of applicant's knowledge, the information contained in the application and its supporting document(s) is free of fraud, misrepresentation, or omission of material fact. To the best of applicant's knowledge, the information contained in the application and its supporting document(s) is truthful, correct, and complete; and, discloses all material facts regarding the applicant and associated individuals necessary to properly evaluate the applicant's qualifications for registration.

Applicant will ensure that any information subsequently submitted to the Division of Occupational and Professional Licensing in conjunction with this application or its supporting documents meets the same standard as set forth above.

Applicant understands that it is unlawful and punishable as a class A misdemeanor to apply for or obtain a license or to otherwise deal with the Division of Occupational and Professional Licensing or a licensing board through the use of fraud, forgery, or intentional deception, misrepresentation, misstatement, or omission.

Applicant understands that this application will be classified as a public record and will be available for inspection by the public, except with regard to the release of information which is classified as controlled, private, or protected under the Government Records Access and Management Act or restricted by other law.

Applicant authorizes all persons, institutions, organizations, schools, governmental agencies, employers, references, or any others not specifically included in the preceding characterization, which are set forth directly or by reference in this application, to release to the Division of Occupational and Professional Licensing, State of Utah, any files, records or information of any type reasonably required for the Division of Occupational and Professional Licensing to properly evaluate my qualifications for licensure/certification/registration by the State of Utah.

Signature of Applicant: _____

Date of Signature: _____

Printed Name of Applicant: _____

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Division of Occupational and Professional Licensing
160 East 300 South, PO Box 146741
Salt Lake City, Utah 84114-6741
Fax: 801 530-6511

Bond Number: _____

Date: _____

FACTORY BUILT HOUSING DEALER BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we,

of (Street Address)

(City)_____, (State)_____ (Zip)_____, as Principal, and

_____, a Surety Company qualified and authorized to do business in the State of Utah, as Surety, are jointly and severally held and firmly bound to the people of the State of Utah to indemnify persons, firms, and corporations for losses which may occur by reason of violation of the conditions hereinafter contained, in the total aggregate sum of Fifty Thousand and NO/100 Dollars (\$50,000.00) as required by Utah Code Ann. 58-56-16(2)(c) (1999), and Utah Administrative Code R156-56-602(1) (2000), lawful money of the United States for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly, severally and firmly by these presents. The total aggregate liability of this bond to all persons making claims shall not exceed the penal sum stated herein.

THE CONDITION OF THIS OBLIGATION IS SUCH, That:

WHEREAS, the above bounden Principal has applied for registration as a dealer of factory built housing within the State of Utah, and pursuant to the application, registration has been or is about to be made.

NOW THEREFORE, if the above bounden Principal shall obtain said registration to do business as a dealer of factory built housing under the provisions of THE UNIFORM BUILDING STANDARDS ACT providing for the regulation and control of the business of dealing of factory built housing, as provided by Chapter 56, Title 58, Utah Code Ann. (1999), the above bounden Principal and Surety shall indemnify persons, firms and corporations in accordance with Utah Code Ann. 58-56-16 (2) (c) (1999) for losses which may occur as the result of the above bounden Principal's violation of any of the unlawful or unprofessional conduct provisions of Chapter 1, Title 58, and Chapter 56 Title 58 Utah Code Ann (1999) or any law respecting commerce in factory built housing promulgated by a registration or regulating authority so that the total aggregate liability on the bond to all persons making claims may not exceed \$50,000 as set forth in Utah Code Ann 58-56-16 (2) (c) on account of any violation or violations of said laws or rules during the time of said registration and all lawful renewals. Said bounden Principal shall also pay reasonable attorney's fees in cases successfully prosecuted or settled against the Principal or Surety if the bond has not been depleted.

The Surety herein reserves the right to withdraw as such surety except as to any liability already incurred or accrued hereunder and may do so upon giving written notice of such withdrawal to the Principal and to the Division of Occupational and Professional Licensing, provided, however, that no withdrawal shall be effective for any purpose until sixty (60) days shall have elapsed from and after the receipt of such notice by the said Division, and further provided that no withdrawal shall in anywise affect the liability of said Surety arising out of any violation or violations of said laws or rules by the Principal hereunder prior to the expiration of such period of sixty (60) days, regardless of whether or not the loss suffered has been reduced to judgment before the lapse of sixty (60) days.

Signed and sealed this _____ of _____,

(Principal)

(Surety)

Attorney-in-Fact

(Bonding company must be listed in the Department of Treasury, Fiscal Service, Circular 570, current revision, entitled "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies.")

UTAH DEPARTMENT OF COMMERCE
Division of Occupational & Professional Licensing
160 East 300 South
P O Box 146741
Salt Lake City UT 84114-6741
(801) 530-6163

Corrections

Dealership

Address

City, State, Zip

Doing Business As

Telephone Number

Contact Person

MANUFACTURED HOUSING QUARTERLY SALES REPORT

QUARTERLY REPORT ENDING

March 31, _____ June 30, _____ September 30, _____ December 31, _____

Number of units sold which were converted to real property prior to the sale _____ (No Fee Required)

(In order to convert the unit to real property prior to the sale, the dealer would be required to own the land that the unit was located on and to have filed documents with the county recorder where the unit is located before the sale occurred which includes an affidavit of affixture to convert the property to real property and a receipt for surrender of title issued by The Motor Vehicle Division of the State Tax Commission.)

Total number of used units sold _____ x \$75.00 _____

Total number of new units sold _____ x \$75.00 _____

TOTAL AMOUNT DUE: _____

→ THIS REPORT MUST BE SUBMITTED WHETHER OR NOT YOU HAVE HAD ANY SALES ←

I certify that the information provided on this report is an accurate accounting of all manufactured/mobile home sales for the period indicated.

Signature

Position/Title

Date Prepared

- Report due within 30 days following the close of each quarter.
- Make Check Payable To: State of Utah, DOPL
- Send Quarterly Reports and Amount Due To: DOPL, PO Box 146741, Salt Lake City, UT 84114-6471

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